IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

&

THE HONOURABLE MRS. JUSTICE K.HEMA

MONDAY, THE 18TH JUNE 2007 / 28TH JYAISHTA 1929

WP(Crl.).No. 220 of 2006(S)

PETITIONER:

VIJAYAMMA, AGED 45 YEARS,
W/O. RADHAKRISHNAN NAIR,
KALLUZHATHIL HOUSE, ALA, CHENGANNUR.

BY ADV. SRI.MVS.NAMBOOTHIRY
SRI.R.VINOD

RESPONDENTS:

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1. THE CIRCLE INSPECTOR OF POLICE,
CHENGANNUR.

2. THE SUB INSPECTOR OF POLICE,
CHENGANNUR.

3. GOPI RAJAN, S/O. GOPI,
KALEEKKA MODIYIL, ALA VILLAGE, CHENGANNUR.

4. GOPI,
RESIDING AT DO. DO.

5. RAJAMMA,
RESIDING AT DO. DO.

ADDL. 6. THE DIRECTOR GENERAL OF POLICE,
OFFICE OF THE DIRECTOR GENERAL OF POLICE,
TRIVANDRUM.

7. THE DISTRICT SUPERINTENDENT OF POLICE,
ALLEPPEY.

ADDL. RESPONDENT 6 IS IMPLEADED AS PER ORDER DATED 25.10.2006 IN I.A.14173/2006.

ADDL.RESPONDENT 7 IS IMPLEADED AS PER ORDER DATED 25.10.2006 IN I.A.14835/2006

BY ADV. GOVERNMENT PLEADER SRI.P.A.SALIM.
SRI.P.VINODKUMAR

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 18/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.220 OF 2006

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT P1: COPY OF RELEVANT PAGE OF THE SSLC BOOK.

EXHIBIT P2: COPY OF THE COMPLAINT FILED BEFORE THE FIRST RESPONDENT.

/TRUE COPY/

PA TO JUDGE

P.R.RAMAN & K.HEMA, JJ.

W.P.(Crl).NO. 220 OF 2006

Dated this the 18th day of June, 2007

JUDGMENT

Raman, J.

The allegation in the Writ Petition is that the minor daughter of the petitioner was found missing from 23.9.2006 and she was under illegal custody of the third respondent with active connivance of respondents 4 and 5. Subsequently, the alleged detenu was produced before this Court and finding that the girl was under the age of 18, she was directed to go along with her mother, as six month's time more was required for completing the age of 18. A detailed order was passed on 29th November, 2006 by this Court, wherein it was also directed that further proceedings against the third respondent shall be kept in abeyance and the parents of Gopi Rajan also should not be harassed. The matter was posted to today.

2. Today the girl appeared along with her mother. Respondents 3 to 5 also appeared. We interacted with the girl and she stated that she wants to go along with her mother. She is set free to go along with her mother. It is alleged by respondents 3 to 5

that there is no harassment by the third respondent and on the other hand the petitioner is harassing respondents 3 to 5. Therefore, we direct that there shall not be any harassment to either parties from other side and in case there is any such complaint, it is open to the parties to approach the police for necessary protection in this regard and the police will render necessary protection.

The Writ Petition is closed subject to what is stated above.

P.R.RAMAN, JUDGE

K.HEMA, JUDGE

vgs.